



Burleson Development & Legislative Updates

Development Services

Background

On April 7th Councilmember Scott requested a report and presentation to Council from staff outlining strategies to leverage our Comprehensive Plan and zoning tools to:

- support fiscally sustainable development
- explore policy options that broaden our tax base
- expand opportunities for sales tax revenue
- support diverse, multigenerational housing options
- ensure our long-term financial health by encouraging growth patterns that produce more value per acre and reduce the public cost of infrastructure and services
- prioritize incremental development
- reinvest in existing neighborhoods
- achieve a better return on public investment

Background

On May 19th Planning Staff provided a brief to City Council (attached as Exhibit 3).

This presentation is to further discuss and consider next steps and direction for staff related to Burleson development patterns and methods to achieve the desired visions and characteristics for the community, as well as recommended changes to the Code of Ordinances based on the 89th Legislative Session.

Based on feedback from City Council, staff believes the following topics to be focus areas for future development updates

- Minimum housing sizes (affordability)
- Accessory Dwelling Unit (ADU) regulations
 - Parking regulations
- Commercial / Residential density options (sustainable development)

Minimum housing sizes (affordability)

Zoning District	Current minimums
SFE, Single-family Estate	1 acre / min 1,800 sq ft home
SF-16, Single-family	16,000 sq ft lot / min 1,800 sq ft home
SF-10, Single-family	10,000 sf ft lot / min. 1,500 sq ft home
SF-7, Single-family	7,000 sq ft lot / min. 1,200 sq ft home
SFA, Single-family attached	2,500 sq ft lot / min 1000 sq ft home
2F, Two-family	3,500 sq ft / min. 1,000 sq ft home
MF-1. Multi-family	Minimum sq ft.
MF-2, Multi-family	Efficiency unit, 500 sq ft 1-bedroom unit, 600 sq ft 2-bedroom unit, 850 sq ft 3-bedroom unit, 1,000 sq ft

A reduction in required minimum home sizes would require a text only change to current zoning districts.

Would not change minimum lot sizes or other standards.

Staff recommends:

1. Reducing 2F and SFA to 800 sq ft
2. Reducing all SF districts to 1,000 sq ft
3. Removing minimum unit sq ft for MF developments

Accessory Dwelling Unit (ADU) regulations

ADUs have been a topic at the state level, however no specific legislation was passed during the 89th session that would impact our current standards.

Currently our code allows ADUs in certain situations without kitchens (intended to be temporary family or guest lodging).

Staff recommends discussing potential regulations related to ADUs before preempted by future legislation and to allow more options for aging in community, affordability, and generational / family living options.

Accessory Dwelling Unit (ADU) regulations

Staff recommends text changes to our Code of Ordinances:

Accessory Dwelling Unit Standards:

- 1.The primary residence shall be occupied by the property owner.
- 2.The accessory dwelling unit shall be subordinate to the primary structure in height, and size and in accordance with applicable zoning district setbacks.
3. The minimum lot size for an accessory dwelling unit is 10,000 square feet.
4. There is a limit of one (1) accessory dwelling unit per lot.
5. Occupancy is limited to regulations as per the adopted Building Code, ADUs shall not be subleased or rented.
6. Lot must contain enough parking for primary dwelling unit to meet off street parking requirement plus one additional space for accessory dwelling unit.
7. Separate utility meters are prohibited.

ADUs in Commercial (recommend approval by SUP or as part of a PD zoning)

Allowing live work space above or within existing buildings: Restoring and expanding downtown storefronts to include apartments above retail space, revitalizing downtown areas or other commercial corridors.

2023 Top Ten property values (ranked by Taxable value)

Burleson City	Market Value	Taxable Value
1. SHANNON CREEK APARTMENTS II LLC	\$69,097,207	\$68,692,258
2. WAGNER SMITH EQUIPMENT CO	\$37,855,479	\$37,855,479
3. TEP BARNETT USA LLC	\$34,994,109	\$34,994,109
4. BURLESON COLD STORAGE II LP	\$33,157,933	\$33,157,933
5. ABBY BURLESON LLC	\$29,886,492	\$29,886,492
6. BURLESON COLD STORAGE LP	\$50,327,754	\$25,163,877
7. TJC DFW VERCANTA I LLC	\$24,871,335	\$24,871,335
8. BURLESON COMMONS LLC	\$22,745,933	\$22,745,933
9. ABBY BURLESON MF LLC	\$22,328,637	\$22,328,637
10. ATMOS ENERGY/MID-TEX DISTRIBUT	\$18,964,830	\$18,964,830
Total	\$344,229,709	\$318,660,883

With the exception of cold storage facilities within the Business Park, the most valuable properties tend to either be small lot commercial development in our Old Town or mixed-use (multifamily/apartment) developments.

Market Value Per Acre Sampling

Property	MKT Value/acre	Zoning
Shannon Creek APTS	\$1,469,034.37	PD w/Multifamily
Depot on Main	\$4,789,053.84	PD w/Multifamily
Wagner Smith	\$1,855,660.78	Business Park
TEP Barnett USA	Gas, oil, mineral -	Various
Burleson Cold Storage	\$1,594,898.17	Business Park
ABBY Burleson LLC (Arabella)	\$1,209,489.76	PD w/Multifamily
Burleson Cold Storage LP	\$2,443,094.85	Business Park
TJC DFW Vercanta (Reed Parke)	\$1,925,025.93	PD w/Multifamily
Burleson Commons LLC	\$1,681,769.54	Multifamily
ABBY Burleson MF LLC	\$1,882,684.40	Multifamily
ATMOS Energy	Pipelines, etc	Various
295 E Renfro (Old Town Station)	\$2,901,985.85	Old Town
225 E Renfro (Old Town Station)	\$2,276,015.63	Old Town
AGA Old Town (Babe's block) approx. 0.20 acres	\$4,683,86.51	Old Town
Target (10.88 acres)	\$689,784.74	Retail (5.1 acres of parking)
Kroger (12.06 acres)	\$922,521.15	Retail (5.5 acres of parking)
QuikTrip (E Renfro & 174)	\$1,334,769.07	Commercial
HTeaO (.87 acres)	\$1,407,018.39	Commercial

Parking regulations



10.88 Acres

Market Value Per Acre \$689,784.74



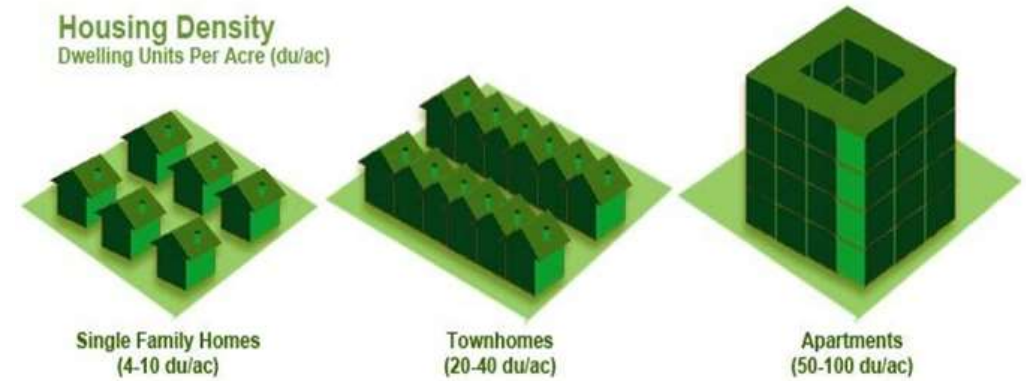
0.87 Acres

Market Value Per Acre \$1,407,018.39

Large tracts of land devoted to meeting minimum parking standards tend to bring the market value per acre down, especially shopping strips and centers in which parking calculations are done for each individual space and/or a yearly peak event.

Recommend reduction or elimination of minimum parking standards (Code or Ordinances text amendment) or a standardized shared parking process/calculation.

- High density development can benefit communities by promoting efficient land use, reducing infrastructure costs, encourage sustainable living, and fostering vibrant, diverse communities.
- Low density housing, while offering space and privacy, can lead to an increased reliance on cars, higher infrastructure costs, and potentially social and economic inequalities.



	City wide	Old Town (SF & townhomes)	Hidden Vistas (SF detached)	Reverie (SF and MF)	Depot on Main (MF)
# of properties	17,495	450	256	122	2
Acres	16,640	305	115	43	4.55
Dwelling units per acre (Density)	1.05	1.48	2.23	2.84	56.22
Avg parcel size	.951 acres (41,426 sq ft)	.677 acres (29,490 sq ft)	.449 acres (19,558 sq ft)	.352 acres (15,333 sq ft)	2.275 acres (99,099)
Taxable value	\$5,650,000,000	\$122,250,009	\$94,610,000	\$34,100,000	\$21,790,000
Avg/property	\$323,000	\$237,000	\$370,000	\$280,000	\$10,800,000
Market value / acre	\$393,543	\$400,819	\$822,695	\$793,023	\$4,789,011

Commercial / Residential density options (sustainable development)

Where is a generally higher density currently allowed:

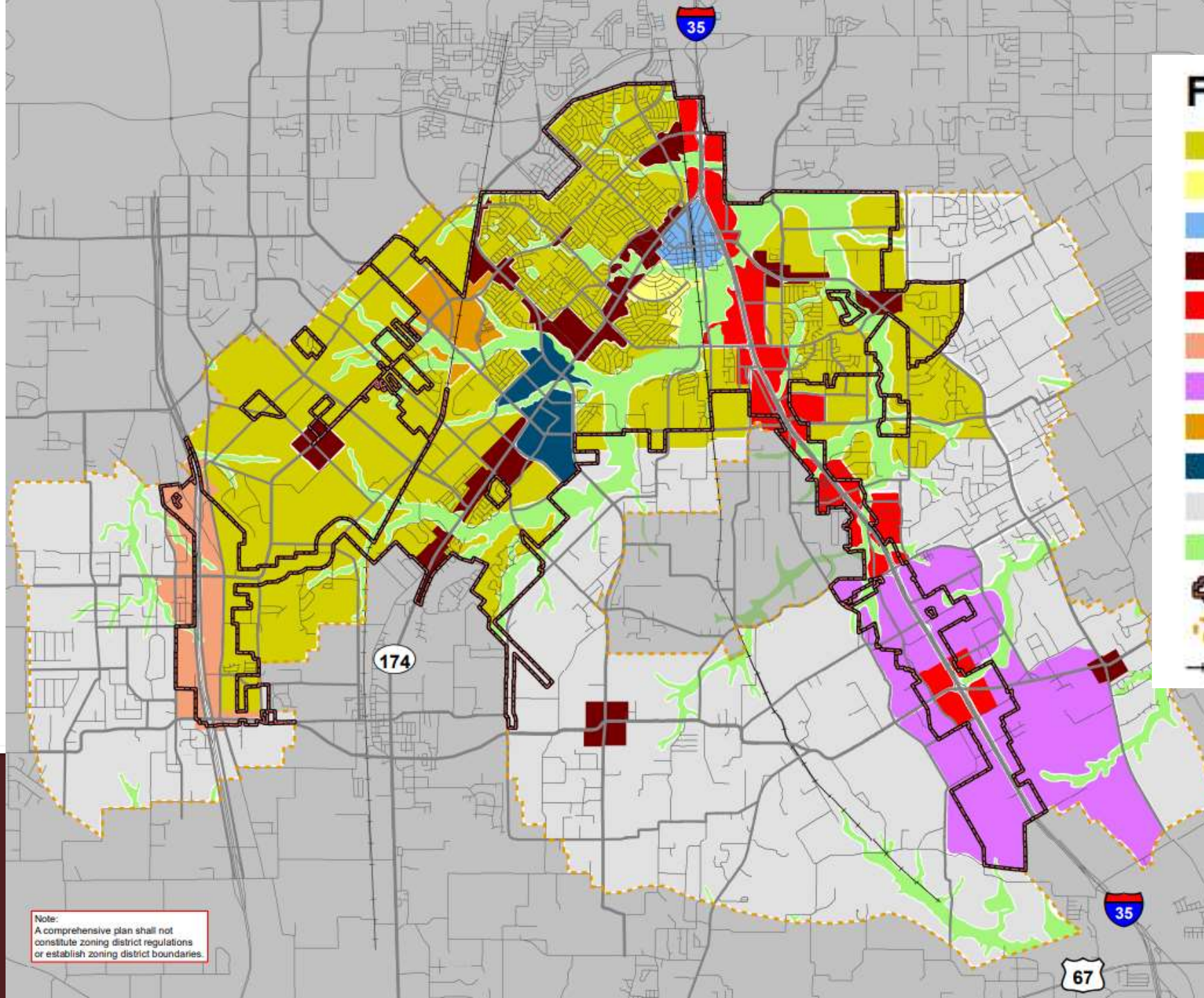
- Parcels zoned 2F, SFA, MF1 or MF2, or though PD, Planned Developments
- Apartments can be developed within the IH35 overlay by-right (regardless of current zoning)

Where do we want to see or not see future density

- Comp Plan (Future Land Use) generally envisions higher density in areas designated as Mixed-Use and TOD (Neighborhoods with zoning approval)
 - Ability to request greater density through PD, Planned Developments; or
- Staff can create a cottage court or smaller size lot zoning district that could be requested by applicants through the zoning change process for infill / mixed use

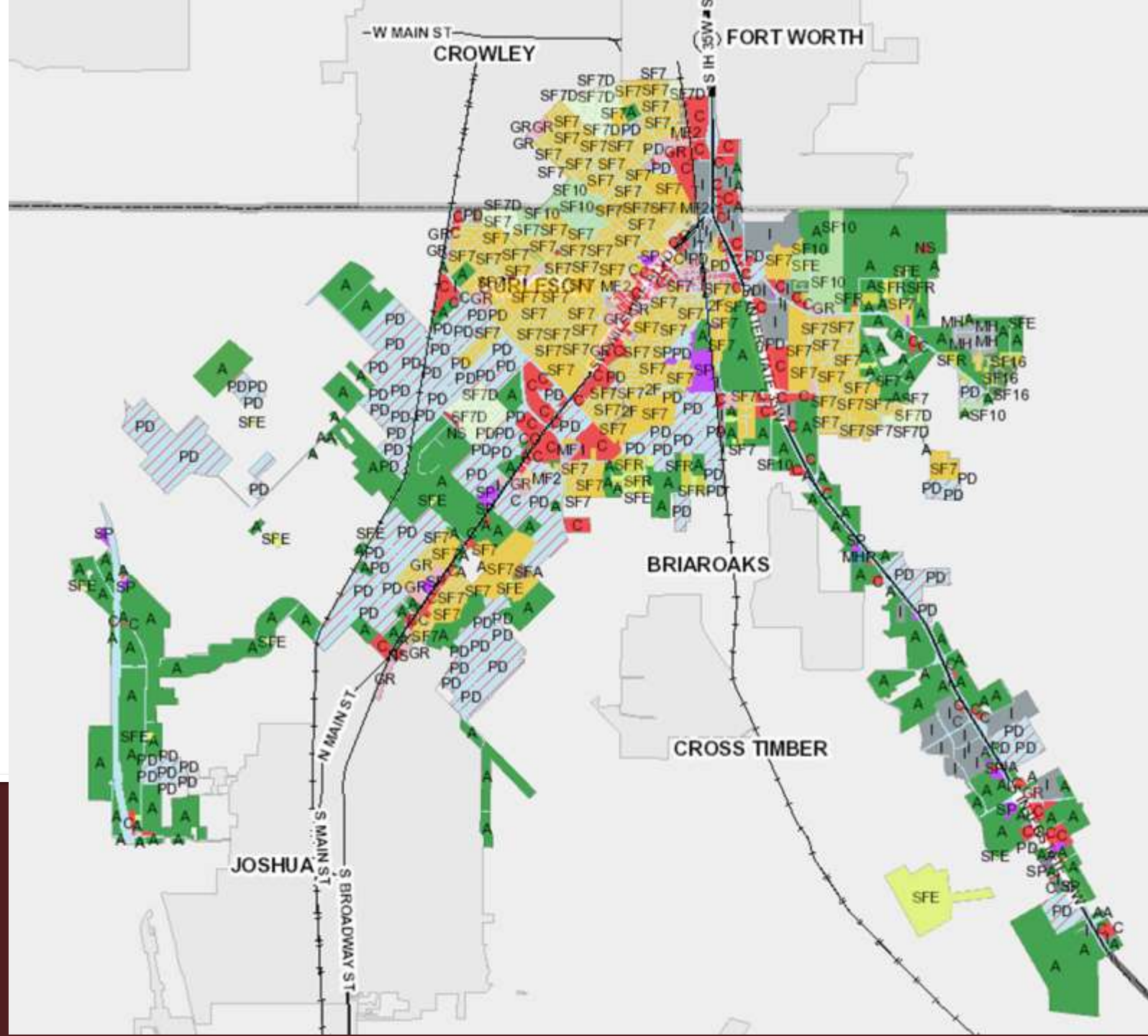
Commercial density: No current minimum lot sizes for commercial, however reducing or modifying parking regulations would allow for a higher commercial density.

Allowing live work development or in-fill in traditionally non-residential zoning districts could also increase density.



Future Land Use

- Neighborhoods
- Old Town Residential
- Old Town
- Community Commercial
- Regional Office/Commercial
- Chisholm Trail Corridor
- Employment Growth Center
- Transit-Oriented Development
- Urban Mixed Use
- Future Development
- Floodplain/Open Space
- City Limit
- ETJ
- Railroad



How to implement recommendations

Staff recommends a partial zoning code update of development standards and required legislative updates.

Updates would not change the City zoning map, however staff could create new zoning districts that a property owner or applicant could request a rezone to with City Council approval.

Future Land Use Map/ Midpoint Addendum
(TOD, definitions of land use categories if new zoning districts established)

Standards related to development, such as ADUs, site plans, parking, landscaping, and signage would be a text only amendment and not change property owners current zoning. Future development would have to conform to any adopted standards.

89th Legislative Session

Bills that impact planning/ require text amendments

Bill	Description	Effective Date
HB 24	Zoning Amendments and Protests	Sept 1, 2025
HB 2025	Tax Receipts on Plats	Sept 1, 2025
HB 2512	ETJ Release	Sept 1, 2025
HB 2464	Home Base Businesses	Immediately
HB 4506	Electronic noticing Zoning Changes	Immediately
SB 785	Manufactured Homes	Sept 1, 2026
SB 1106	PID noticing	Jan 1, 2026

H.B. 24– Zoning Amendments and Protests:

Addresses how municipalities enact and respond to zoning regulation changes. The bill distinguishes between comprehensive and non-comprehensive zoning changes and introduces procedural reforms to govern public notification, protests, and legal presumptions related to these changes.

Defines a “**proposed comprehensive zoning change**” as a municipal action that either uniformly increases residential development across zoning districts, adopts a **new zoning code or map that applies to the entire city**, or creates an overlay district increasing residential capacity along major roadways or transit corridors. For these comprehensive changes, HB 24 clarifies that the standard notice requirements—publishing in a newspaper and on the city's website—are sufficient, preventing municipalities from being required to provide additional individualized notice.

For “**non-comprehensive zoning changes**”, the bill creates a new statutory process for formal protests by property owners. If at least 20% of the area directly affected or 60% of the surrounding landowners within 200 feet file a protest, the proposed zoning change must receive a supermajority vote (either three-fourths or a majority of the governing body, depending on the protest type) to be approved. The bill also consolidates and clarifies how land areas are calculated for protest purposes, including public rights-of-way in the total.

Requires text amendments to:

- Zoning Regulations regarding minimum size sign to be placed on properties for zoning change notifications (increase to current size in our code)
- Property notice and protest requirements/calculations

H.B. 2025–Tax Receipts on Plats:

Provides that a person seeking to record a plat, replat, or amended plat or replat of real property or a condominium after September 1 of a year no longer must have attached to it a certain tax receipt indicating that the taxes imposed by the applicable taxing units for the current year have either been paid or not been calculated.
(Effective September 1, 2025.)

Requires text amendments to:

- Subdivision regulations and plat applications related to tax certificate requirements

House Bill 2512 – ETJ Release

It expands the list of property types previously exempted from ETJ release by Senate Bill 2038. With the passage of House Bill 2512, properties in the ETJ of Fort Worth are no longer subject to the ETJ release provisions of the Local Government Code if they are subject to a Chapter 212 development agreement, contain fewer than 12 acres, or consist of a single lot in a platted subdivision of 25 or more lots.

The bill also attempts to cure deficiencies in SB 2038 cities that previously used to avoid ETJ releases. For example, it provides notice to landowners whose property has been included in a petition to a municipality to hold an election on whether to release lands from the ETJ and gives that landowner an opportunity to opt out of the removal. It also specifically exempts the ETJ release process from the requirement that a city consent in writing to the reduction of its ETJ.

Requires text amendments to:

- ETJ Release application regarding property owner notifications/consent

H.B. 2464 – Home-Based Businesses:

Defines a “home-based business” (HBB) as a business that is operated: (a) from a residential property; (b) by the owner or tenant of the property; and (c) for the purpose of manufacturing, providing, or selling a lawful good or providing a lawful service;

Defines a “no-impact-home-based-business” (NIHBB) as a HBB that: (a) has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the city’s occupancy limit for the property; (b) does not generate on-street parking or a substantial increase in traffic through the area; (c) operates in a manner in which none of its activities are visible from a street; and (d) does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule;

Provides that a city council may not adopt or enforce an ordinance, regulation, or other measure that: (a) prohibits the operation of a NIHBB; (b) requires a person that owns or operates a NIHBB to obtain a license, permit, or other approval to operate; or (c) requires a person that owns or operates an HBB to rezone the property for a non-residential use or install a fire sprinkler protection system if the residence where the business is operated consists only of a single-family detached residential structure or a multi-family residential structure with not more than two residential units;

Requires text amendments to:

- Zoning Regulations related to Home Occupations and definitions

H.B. 4506 – Electronic Notice for Zoning Changes:

This bill: (1) authorizes the electronic delivery of zoning notices by e-mail or text message if: (a) the recipient elects to receive notice electronically; and (b) the city establishes an online portal on the city's website through which a notice recipient may elect to receive notice electronically and manage their preferences; and (2) requires a city to deliver notice as otherwise provided if the recipient does not acknowledge receipt of the electronic notice. (Effective immediately.)

Senate Bill 1106

Senate Bill 1106 continues the legislature's trend of increasing transparency requirements and ease of access to public information. This bill requires any city approving, updating, or amending a PID service and assessment plan—the document that establishes PID assessments over landowners' property—to post such plan on its website within seven days. During those seven days, the city must also provide the plan to the central appraisal district, which must include the plan in its required property tax database.

City PID administrator will advise staff on proper procedure

Other text amendment recommendations from 88th legislative session:

HB 3699 – related to municipal regulation of subdivisions

Prohibits a municipality's governing body or the municipal authority responsible for approving plats from requiring an analysis, study, document, agreement, or similar requirement to be included in or as part of an application for a plat, development permit, or subdivision of land that is not explicitly allowed by state law;

Authorizes a municipality's governing body or the municipal planning commission to delegate to one or more officers or employees of the municipality or of a utility owned or operated by the municipality the ability to approve, approve with conditions, or disapprove a plat and establishes that a plat applicant has the right to appeal to the governing body or commission if the designated person disapproves a plat;

Prohibits a municipal authority responsible for approving plats from requiring the dedication of land within a subdivision for a future street or alley that is not intended by the owner of the tract and that is not included, funded, and approved in either a capital improvement plan adopted by 126 Regular Session, 2023 the municipality

Recommended text amendments to Subdivision Regulations and plat applications

- Delegate Director of Development Service as approval authority for plats (appeals to P&Z)
- Update required documents for plat application submittal
- Clarify requirements prior to submittal of a Final Plat
- Allows staff to reduce "consent agenda" only P&Z meetings

Next Steps

Staff will incorporate committee feedback and inputs into recommended text amendments.

Staff will bring back details related to text changes, zoning districts, and amendments to the committee for further consideration and discussion.

Notice and present to the Planning and Zoning Commission for consideration and recommendation.

Notice and present to City Council for potential action at a Public Hearing.